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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,846	12/31/2001	Chen-Hsiang Shih	4425-237	5314

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BERKELEY LAW & TECHNOLOGY GROUP  
1700NW 167TH PLACE  
SUITE 240  
BEAVERTON, OR 97006

EXAMINER

ROHWER, JACOB P

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/029,846	SHIH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jacob P. Rohwer	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-11, 13 and 15-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-11, 13 and 15-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

**Claims 9-11, 13 and 15** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In claim 9 Lin 8-9; applicant specifies that each user-selectable sub-zone have a *plurality* of user-selectable compression ratios. The original filing of the specification and drawings does not support this amended limitation.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-4, 5, 7-8 and 16-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No 6,700,685 to Matama in view of US Patent No 6,646,765 to Barker et al.

Regarding claim 1, Matama discloses an apparatus comprising:

an image-processing component (**Fig 1 #14**) adapted to generate data to display (**Fig 1 #20**) a preliminary scanned image of a document (**Col 8 Lin 42-49**), and further adapted (**Fig 1 #18**) to receive a selection of a sub-zone of the scanned image document, wherein selection of a sub-zone comprises designation of an arbitrary area of the scanning zone, (**Fig 7-10, Col 9 Lin 54-62**) and wherein selection of a sub-zone further comprises designation of a compression model for the sub-zone, (**Col 4 Lin 23-31 discloses two separate compressing means corresponding to the inventive dodging processing as taught in the invention**) wherein the compression model defines at least one compression ratio (**Col 10 Lin 35-Col 11 Lin 19 discloses the process of dodging in the inventive apparatus including using a LUT for compression processing.**); and

an image-capturing component (**Fig 1 #12**) adapted to scan said document, and further adapted to process a scanned image in accordance with the received selection of at least one sub-zone. (**Col 8 Lin 42-49**)

Matama does not expressly disclose selection of a scanning zone of the preliminary scanned image, wherein the scanning zone comprises less than the entire preliminary scanned image, from which the sub-zone is selected.

However, Barker discloses an apparatus that selects a scanning zone of a preliminary scanned image, wherein the scanning zone comprises less than the entire preliminary scanned image. (**Fig 2, Col 2 Lin 10-42**)

The Matama and the Barker Patents are combinable because they both come from the same field of endeavor relating to scanning a document image.

At the time of the invention it would have been obvious to one of ordinary skill in the art to select a scanning zone comprising less than the entire preliminary scanned image as specified in Barker, before designating a sub-zone of the scan as specified in Matama.

The suggestion/motivation for doing so would have been to reduce the data set sizes to be output by virtue of the in the size of the scanned region. **(Barker, Col 2 Lin 10-15)**

Therefore, it would have been obvious to combine the Matama and Barker Patents in order to obtain the invention as specified in claim 1.

Regarding claim 2, which depends from claim 1, the combination further discloses in Matama the apparatus of claim 1, wherein said image-processing component is further adapted to receive a selection of at least one sub-zone based at least in part on a request from an exterior device. **(Fig 3 #60, Col 10 Lin 14-24)**

Regarding claim 3, which depends from claim 1, the combination further discloses in Matama the apparatus of claim 1 wherein said apparatus comprises a scanner. **(Fig 1 #12)**

Regarding claim 4, which depends from claim 3, the combination further discloses in Matama the apparatus of claim 3, wherein said compression model defines differing compression configurations for at least two portions of the scanned document image. **(Fig 7-10, Col 12 Lin 1-17, two portions are the tuxedo and the dress)**

Regarding claim 5, please see rejection of claim 1 above, all the limitations of the system specified in claim 5 taught by the combination of Matama and Barker as specified in the rejection of claim 1.

Regarding claim 7, which depends from claim 5, the combination further discloses in Matama the system of claim 5, wherein said scanning system comprises a plurality of photo sensors. **(Fig 1 #34, Col 6 Lin 52-60)**

Regarding claim 8, which depends from claim 5, the combination further discloses in Matama the system of claim 5, wherein said processing is further configured to output said captured document image to an external device. **(Fig 1 and 3 #16)**

Regarding claims 16-20, please see rejections of claims 1, 2, 5 and 8 above.

**Claims 9-11 and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Matama and Barker as specified in claims 1 and 5 above, further in view of US Patent No 5,828,780 to Suzuki et al.

Regarding claim 9, the combination of Matama and Barker discloses a method comprising:

pre-scanning an object to obtain a preliminary scanned image, including a scanning zone: **(Please see rejection of claim 1 for motivation for combination)**

providing scanning zone data to a computing system adapted to perform a chrominance and luminance analysis of at least a portion of the scanning zone; **(Matama, Col 10 Lin 35-67)** and

displaying a plurality of user-selectable sub-zones (**Matama, Fig 7-10**) each having compression ratios, wherein the sub-zones and compression ratios are determined based at least in part on chrominance and luminance data provided by the computing system. (**Matama, Col 11 Lin 13-19**)

The combination does not expressly disclose that the designation of compression ratios is user-selectable.

However, Suzuki discloses an image processing apparatus where the user is able to select compression ratios for an image in order to output an image of desired quality. (**Col 12 Lin 56-Col 13 Lin 9**)

The combination of Matama and Barker and the Suzuki Patent are combinable because they both come from the same field of endeavor relating to scanning a document image.

At the time of the invention it would have been obvious to one of ordinary skill in the art to use user selected compression ratios as specified in Suzuki, in order to process the sub-zones as specified in the combination of Matama and Barker.

The suggestion/motivation for doing so would have been to provide output quality desired specifically by the user, by allowing him to change the compression ratio in reference to a previous used compression ratio. (**Suzuki Col 12 Lin 60-63**)

Therefore, it would have been obvious to combine the Suzuki Patent with the combination of Matama and Barker in order to obtain the invention as specified in claim 9.

Regarding claim 10, the combination further discloses in Matama the method of claim 9 comprising receiving user selection of a user-selectable sub-zone by use of an editing tool. **(Col 6 Lin 43-51)**

Regarding claim 11, the combination further discloses in Matama the method of claim 9, wherein said pre-scanning is implemented by a plurality of optic devices. **(Fig 1 #32)**

Regarding claim 13, the combination further discloses in Matama the method of claim 9 comprising displaying said plurality of user-selectable sub-zones on a display device. **(Fig 1 #20, Fig 7-10)**

**Claim 15** is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Matama, Barker and Suzuki as specified in claim 9 above, further in view of US Patent No 6,269,190 to Mikkelson et al.

Regarding claim 15, the combination discloses the method of claim 9, but fails to disclose that the compression ratios comprise lossy and lossless compression ratios.

However, Mikkelson discloses a system for processing images further specifying that different regions can be compressed with a method ideal for that region, **(Col 2 Lin 8-24)** including lossy and lossless compression. **(Col 5 Lin 1-10)**

The combination of Matama, Barker and Suzuki and the Mikkelson Patent are combinable because they both come from the same field of endeavor relating to scanning a document image.

At the time of the invention it would have been obvious to one of ordinary skill in the art to use lossy and lossless compression ratios as specified in Mikkelson, in order



to process the sub-zones as specified in the combination of Matama, Barker and Suzuki.

The suggestion/motivation for doing so would have been to provide the best method of compression for the image being processed.

Therefore, it would have been obvious to combine the Mikkelson Patent with the combination of Matama, Barker and Suzuki in order to obtain the invention as specified in claim 15.

**Claim 21** is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Matama and Barker as specified in claims 1, 5 and 16 above, further in view of to Mikkelson et al as specified in claim 15 above.

Regarding claim 21, please see rejections of claims 1, 5, 16 and 15 above for motivation for combination of references. Furthermore, the selection of a combination of lossy and lossless compression ratios for the at least one sub-zone, can be applied in **Matama Fig 7-10**, which discloses two areas with different desired processing according to the invention.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-5, 7-11, 13 and 15-21 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob P. Rohwer whose telephone number is 571-272-5509. The examiner can normally be reached on M-F 9:00-5:30.

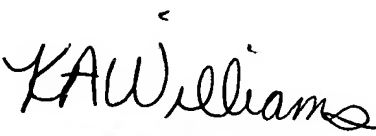
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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HL  
8/1/06

  
KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER